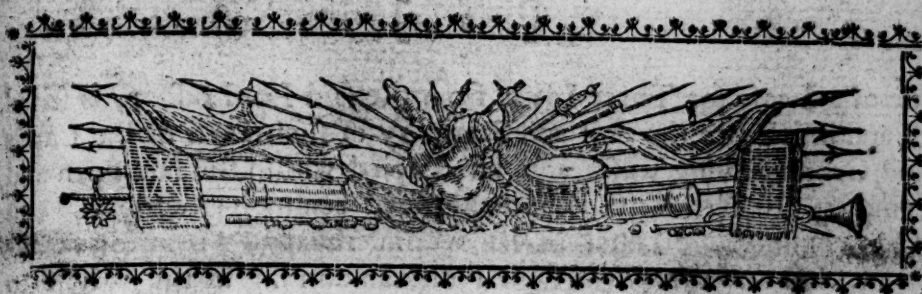


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A C T

F O R

Dividing and Inclosing the Open and Common Fields, Cow Pastures, Ings, Common Meadows, and other Commonable Lands in the Parish of *West Ashby*, within the Manors of *Horncastle* and *West Ashby*, in the County of *Lincoln*.



**W H E R E A S** there are in the Parish of *West Ashby*, Preamble. within the Manors of *Horncastle* and *West Ashby*, in the County of *Lincoln*, several open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands, containing Three thousand Acres or thereabouts:

And whereas the Right Reverend Father in God *Edmund* Lord Bishop of *Carlisle*, in Right of his See of *Carlisle*, is Lord of the said Manor of *Horncastle*; and *Joseph Banks*, Esquire, by virtue

the of a Lease for Three Lives from the said Lord Bishop, is seised of and intitled to the Soil and Seigniorie of such Parts of the Lands and Grounds lying waste and unoccupied within the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands as lie within the said Manor of *Horn-castle*, and also to certain Quit-rents, amounting in the Whole to the yearly Sum of Nine Shillings and Six Pence, issuing out of the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands lying within the said Parish of *West Ashby*; and *William Anderson*, Gentleman, and *Frances Barton*, Spinster, are Lord and Lady of the said Manor of *West Ashby*, and are seised of and intitled to the Soil and Seigniorie of such Parts of the Lands and Grounds lying waste and unoccupied within the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands as lie within the said Manor of *West Ashby*, and are also intitled to certain Quit-rents, amounting in the Whole to the yearly Sum of Two Pounds Fourteen Shillings and Five Pence Halfpenny, issuing out of the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands lying within the said Parish of *West Ashby*: And the said Lord Bishop is also seised of the Rectory appropriate of *West Ashby* aforesaid, and as such intitled to certain Glebe Lands within the said open and common Fields, and to all Tithes and other Rights and Profits of the said Rectory arising, renewing, increasing, or happening within the said Parish of *West Ashby*, which are now held by and in Possession of *Thomas Rockliffe*, by virtue of and under a Lease made to him for Twenty-one Years by the said Lord Bishop; and the Reverend *Thomas Farside*, Clerk, Curate of *West Ashby* aforesaid, in Right of the said Curacy, is intitled to a certain Stipend of Thirty-five Pounds *per Annum*, paid and allowed to the Curate there for the Time being by the said Lord Bishop of *Carlisle* or his Lessee, in Lieu of all Tithes and Ecclesiastical Rights arising, renewing, increasing, or happening within the said Parish:

And whereas the said *William Anderson* and *Frances Barton*, *John Calthorp*, Clerk, *Joseph L'Oste*, Clerk, *Henry Southwell*, Clerk, the said *Thomas Rockliffe*, *William Pennell*, *William Soulby*, *Thomas Drewry*, *William Wharry*, *William Glasier*, and others, are the Owners and Proprietors of the Residue of the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands:

And whereas the Lands and Grounds of the several Proprietors in the said open and common Fields lie intermixed and dispersed

perfed in fmall Parcels, and are in their prefent Situation incapable of Improvement, and it would tend greatly to the Advantage of the Proprietors if the fame, together with the faid Cow Pastures, Ings, common Meadows, and other commonable Lands, were divided and inclofed, and specifick Parts thereof were allotted to each Proprietor according to their feveral and refpective Interests therein :

But as fuch Divifion and Inclofure cannot be effected without the Aid and Authority of Parliament ;

May it therefore please Your MAJESTY,

That it may be **Enacted** ; And be it **Enacted**, by the KING's moft Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this prefent Parliament affembled, and by the Authority of the fame, That *Benjamin Stephenson* of *Mareham le Fenn*, in the faid County of *Lincoln*, Gentleman, *John Codd* of *Ranby*, in the fame County, Gentleman, and *William Elmbirst* of *Stainsby*, in the fame County, Gentleman, and their Successors, to be elected in Manner herein after-mentioned, fhall be and are hereby appointed Commissioners for dividing and inclofing the faid open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands in the faid Parifh of *West Afhby*, within the faid Manors of *Horncaftle* and *West Afhby*, and for putting this Act in Execution, fubject to the Rules, Orders, and Directions herein contained. Commissioners.

And be it further **Enacted**, That no Perfon fhall be capable of acting as a Commiffioner in the Execution of the Powers given by this Act (unlefs it be the Power hereby given of adminiftering Oaths, or of giving Notice of their Firft Meeting) until he fhall have taken and fubfcribed an Oath to the Effect following : Commissioners to take an Oath.

**I** A. B. do fwear, That I will faithfully, impartially, and honeftly, to the beft of my Skill and Judgment, hear and determine all fuch Matters and Things as fhall be brought before me as a Commiffioner by virtue of an Act "for Dividing and Inclofing the Open and Common Fields, Cow Pastures, Ings, Common Meadows, and other Commonable Lands in the Parifh of *West Afhby*, within the Manors of *Horncaftle* and *West Afhby*, in the County of *Lincoln*," without Favour or Affection to any Perfon whomsoever. Commissioner's Oath.

Which

Which Oath it shall be lawful for any One of the said Commissioners to administer, and he is hereby required to administer the same to any other of the said Commissioners; and the said Oath so taken and subscribed by each Commissioner shall be inrolled in the same Place and at the same Time as the Award or Instrument of Allotment made by the said Commissioners is in and by this Act directed to be inrolled.

Survey to be made.

And for the more just and equitable Division and Distribution of the Lands and Grounds so to be divided as aforesaid, and for the better ascertaining of the same, **Be it further Enacted**, That a true and perfect Survey shall be made of all the present Inclosures in the said Parish, and the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands so intended to be divided and inclosed as aforesaid, before the Twenty-first Day of *August* One thousand Seven hundred and Seventy-one, or as soon after as conveniently may be, by such Person or Persons as the major Part in Value of the said Proprietors shall direct and appoint; and such Survey shall be reduced into Writing, and the Number of Acres, Roods, and Perches in Statute Measure belonging to each Proprietor shall be therein set forth, ascertained, specified, and described; and the said Survey shall be laid before the said Commissioners, or any Two of them, at some or One of their Meetings to be held in pursuance of this Act, and shall be verified upon Oath by the Person or Persons who shall make the same, if thereunto required by the said Commissioners, or any Two of them, which Oath any One of the said Commissioners is hereby empowered to administer.

Allotments to be made.

And be it further Enacted, by the Authority aforesaid, That the said Commissioners, or any Two of them, shall have full Power and Authority, and they are hereby authorized and required at any Time or Times after the said Survey shall have been made and laid before them as aforesaid, but before the First Day of *March*, One thousand Seven hundred and Seventy-two, or as soon after as the same can be conveniently done, to set out, divide, ascertain, and allot the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands so intended to be divided and inclosed as aforesaid, unto and amongst the several Persons intitled to and interested in the same, in Proportion to their several and respective Shares and Interests, and Right of Common, and other Properties in and over the same, subject nevertheless to the Rules, Orders, Provisoos, and Directions in this Act contained.

Exemption from Tithes for Hall Farm.

And whereas the said *William Anderson* and *Frances Barton* claim an Exemption or Discharge from the Payment of Tithes for certain

certain Lands belonging to a Farm, called *Hall Farm*, in the said Parish of *West Ashby*, the Estate and Property of the said *William Anderson* and *Frances Barton*, and now in the Occupation of *Timothy Green*, whilst the said Lands are in the Hands and Manurance of the Owners thereof; **Be it Enacted**, by the Authority aforesaid,

That the said Commissioners, or any Two of them, shall and they are hereby authorized and required, as soon as conveniently may be after the Survey directed to be taken as aforesaid shall have been laid before them, in the First Place to separate and distinguish the Lands belonging to the said *Hall Farm* within the said Parish of *West Ashby*, and shall also specify in their Award the Lands and Grounds belonging to the said Farm, and shall set out, allot, and appoint unto and for the said Lord Bishop of *Carlisle* or his Lessee such Parcel of Land out of the said Lands belonging to the said Farm, as (Quantity, Quality, and Situation considered) shall in the Judgment of the said Commissioners, or any Two of them, amount to the yearly Value of Nine Pounds in Lieu of and as a Compensation for all Tithes, both Great and Small, and other Ecclesiastical Dues and Payments belonging to the said Lord Bishop of *Carlisle* or his Lessee, arising, growing, and renewing upon or for the Lands belonging to the said *Hall Farm*; all which Tithes and other Dues and Payments shall, from and after such Allotment in Lieu thereof shall be made, cease, determine, and be for ever extinguished; and also that they the said Commissioners, or any Two of them, do and shall in the next Place set out, allot, and appoint unto and for the said Lord Bishop of *Carlisle* or his Lessee such Parcel or Parcels of Land within the said open and common Fields and Grounds hereby intended to be divided and inclosed, as (Quantity, Quality, and Situation considered) shall in the Judgment of the said Commissioners, or any Two of them, be equal in Value to the present Glebe Lands and Right of Common belonging to the said Lord Bishop of *Carlisle* within the said open and common Fields and Grounds hereby intended to be divided and inclosed, in Lieu of and as a Compensation for such Glebe Lands and Right of Common; and do and shall, out of the Lands and Grounds hereby intended to be divided and inclosed, remaining after such Allotments as aforesaid, set out, allot, and appoint unto and for the said Lord Bishop of *Carlisle* or his Lessee so much and such Parcel or Parcels of Land, as (Quantity, Quality, and Situation considered) shall in the Judgment of the said Commissioners, or any Two of them, be and contain One full Seventh Part of the Residue of the Lands and Grounds within the said Parish of *West Ashby* (except the Lands belonging to the said *Hall Farm*, and except such old Inclosures within the said Parish of *West Ashby* as are liable to the Payment of Tithes or Compositions in Lieu thereof to the said

Allotments  
for the Tithes  
of Hall Farm.

Allotments  
for Glebe;

Allotments  
for Tithes.

B

Lord

Allotments  
to the Bishop  
to be Ring-  
fenced.

Lord Bishop of *Carlisle* or his Lessee, and the Owners whereof have no Land or other Property in the said open and common Fields and Premises hereby intended to be inclosed) which said last mentioned Parcel or Parcels of Land so to be set out and allotted to and for the said Lord Bishop of *Carlisle* or his Lessee as aforesaid, shall be in Lieu of and in Recompence and Compensation for all Tithes, both Great and Small, and other Ecclesiastical Dues and Payments belonging to the said Lord Bishop of *Carlisle* or his Lessee, arising, growing, renewing, or payable within, upon, or for any of the Lands or Grounds in the said Parish of *West Ashby*, or elsewhere to the said Parish of *West Ashby* belonging (except the old inclosed Lands, the Owners whereof have no Land or other Property in the said open and common Fields and Premises hereby intended to be inclosed); all which said Tithes and other Dues and Payments shall, from and after such Allotment or Allotments in Lieu thereof shall be made, cease, determine, and be for ever extinguished; which said Allotments to be made to the said Lord Bishop of *Carlisle* or his Lessee as aforesaid, shall each of them be inclosed with an Outward or Ring-fence made in a substantial Manner with Quicksets, and guarded on both Sides of the said Quicksets with Ditches, Posts, and Rails, the Posts or Heads to be of Oak, and the Rails of Ash, Fir, or some other durable Wood, in such Manner as the said Commissioners, or any Two of them, shall direct and appoint; which said Outward or Ring-fence shall be made and set down by the said *Thomas Rockliffe*, who shall be paid or allowed by the said Commissioners the Sum of Eight Shillings for every Seven Yards in Length of such Fences so to be made by him as aforesaid; and the Expence of Ring-fencing the Allotment in Lieu of the Tithes of the Lands belonging to the said *Hall Farm* shall be borne, paid, and defrayed by the Owners of the said *Hall Farm*, and the Expence of Ring-fencing the said other Allotments shall be borne, paid, and defrayed by the Owners and Proprietors of the Residue of the Lands so intended to be divided and inclosed, in Proportion and according to the Value of their respective Allotments, to be settled by the said Commissioners, or any Two of them, within Six Calendar Months next after the Execution of the Award or Instrument herein-after mentioned; and that all such Fences shall be for ever afterwards repaired and maintained by the Lord Bishop of *Carlisle* or his Lessees, in such Manner as the said Commissioners, or any Two of them, shall direct and appoint.

Tithes of old  
Inclosures to  
continue pay-  
able.

And be it further Enacted, by the Authority aforesaid, That such of the old inclosed Grounds within the said Parish of *West*

*Ashby*

*Asbby* as are liable to the Payment of Tithes, or Compositions in Lieu thereof, to the said Lord Bishop of *Carlisle* or his Lessee, and the Owners whereof have no Land or other Property in the said open and common Fields, Cow Pastures, and Grounds intended to be inclosed, shall still continue charged with and liable to the Payment of such Tithes or Compositions to the said Lord Bishop of *Carlisle* or his Lessee, in the same Manner as before the Passing of this Act, or as they would have been liable to pay in case this Act had not been made; any Thing herein contained to the contrary notwithstanding: And that where any such old Inclosure or Inclosures are liable to the Payment of a Composition or Compositions in Lieu of Tithes, such Composition or Compositions, and also the Lands chargeable therewith, shall be specified and described in the Award or Instrument herein after directed to be made.

**Provided nevertheless,** That nothing herein contained shall prejudice, lessen, or defeat the Right, Title, or Interest of the Lord Bishop of *Carlisle*, or his Lessee, of, in, or to any Surplice Fees, *Easter Offerings*, or Mortuaries arising within the said Parish. Saving of  
Surplice Fees,  
&c.

**And be it further Enacted,** That the said Commissioners, or any Two of them, shall and they are hereby authorized and required in the next Place, out of the Residue and Remainder of the Lands and Grounds lying and being in the said open and common Fields, and within the said Manor of *Horncastle*, set out, allot, and appoint unto and for the Lord Bishop of *Carlisle* or his Lessee, such Parcel and Quantity of Land lying and being comprized within the said open and common Fields as by the said Commissioners, or any Two of them, shall (Quantity, Quality, and Situation considered) be deemed and adjudged to be an adequate Compensation for his Right to the Soil of such of the Lands and Grounds lying waste and unoccupied within the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands so intended to be inclosed as aforesaid, as are within the said Manor of *Horncastle*, and for the said Quit-rents, amounting to the yearly Sum of Nine Shillings and Six Pence; which Plot or Parcel of Land so to be allotted shall be laid contiguous to One of the Closes of Pasture in the Parish of *West Asbby* aforesaid, belonging to the said *Joseph Banks*, and now in the Occupation of *Thomas Copping*, and *Mary Fowler*, Widow; and also that the said Commissioners, or any Two of them, do and shall in the next Place, out of the Residue of the Lands and Grounds lying and being in the said open and common Fields, and within the said Manor Allotments  
for Soil and  
Quit-rents.

Manor of *West Ashby*, set out, allot, and appoint unto and for the said *William Anderson* and *Frances Barton*, their Heirs and Assigns, such Parcel and Quantity of Land lying and being and comprized within the said open and common Fields, as by the said Commissioners, or any Two of them, shall (Quantity, Quality, and Situation considered) be deemed and adjudged to be an adequate Compensation for their Right to the Soil of such of the Lands and Grounds lying waste and unoccupied within the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands so intended to be inclosed as aforesaid, as are within the said Manor of *West Ashby*, and for the said Quit-rents, amounting to the yearly Sum of Two Pounds Fourteen Shillings and Five Pence Halfpenny; which said Plot or Parcel of Land last mentioned shall be laid contiguous to the Manor

To be fenced. House of *West Ashby* aforesaid: And which Two last mentioned Allotments shall each of them be inclosed with an outward or Ring Fence, consisting of Three ledged Runners, to be made of good and durable Wood, set up on the Bank, with a Ditch Three Feet wide, in such Manner as the said Commissioners, or any Two of them, shall direct and appoint; and the Expence of Ring-fencing the Allotment to be made to the Lord Bishop of *Carlisle* or his Lessee shall be borne and paid by the Owners and Proprietors of the Residue of the Lands so intended to be divided and inclosed lying within the said Manor of *Horncastle*, and by the Owners and Proprietors of the Farms and Lands out of which the aforesaid Quit-rents, amounting to the yearly Sum of Nine Shillings and Six Pence, are issuing and payable, in Proportion and according to the Value of their respective Allotments, and each respective Quit-rent; to be settled by the said Commissioners, or any Two of them, within Six Calendar Months next after the Execution of the Award or Instrument herein after mentioned; and the Expence of Ring-fencing the Allotment to be made to the said *William Anderson* and *Frances Barton*, their Heirs and Assigns, shall be borne and paid by the Owners and Proprietors of the Residue of the Lands so intended to be divided and inclosed lying within the said Manor of *West Ashby*, and by the Owners and Proprietors of the Farms and Lands out of which the aforesaid Quit-rents, amounting to the yearly Sum of Two Pounds Fourteen Shillings and Five Pence Halfpenny, are issuing and payable, in Proportion and according to the Value of their respective Allotments, and each respective Quit-rent; to be settled by the said Commissioners, or any Two of them, within Six Calendar Months next after the Execution of the Award or Instrument herein after mentioned; and that such Fences shall be for ever afterwards repaired and maintained by the Lord Bishop of *Carlisle*

*liffe* or his Lessee, and the said *William Anderson* and *Frances Barton* respectively, in such Manner as the said Commissioners, or any Two of them, by their Award shall direct and appoint.

And be it further Enacted, by the Authority aforesaid, That in all future Rates and Levies to be made for the Township or Parish of *West Ashby* aforesaid, the Lands and Grounds to be allotted to the Lord Bishop of *Carlisle* or his Lessees in pursuance of this Act, shall be assessed to all publick Rates and Taxes as such Lands and Grounds were assessed to before the Passing of this Act, or by Law or Custom ought to be assessed.

Allotments to the Bishop to be assessed to publick Rates.

And be it further Enacted, That the Residue of the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands, shall be set out, divided, and allotted by the said Commissioners, or any Two of them, unto, between, and amongst the several Persons who at the Time of making such Divisions and Allotments shall be intitled to Lands, Grounds, Right of Common, and other Property in the said Fields and commonable Places, in Proportion (Quantity, Quality, and Situation considered) to their several and respective Shares and Interests therein, subject nevertheless to the Rules and Directions herein after contained, in Lieu of such Lands and Grounds, and Right of Common, as each Proprietor is now seised or possessed of or intitled to.

Residue to be allotted.

And be it further Enacted, That it shall and may be lawful to and for the said *Edmund* Lord Bishop of *Carlisle* and his Successors respectively, from time to time to make such and the like Lease and Leases of the Lands and Grounds so to be allotted to him or them respectively, or their Lessees, as he or they respectively could or might have done or executed, of the said Manor of *Horncastle*, Glebe Lands, and other the Premises herein before-mentioned to belong to the said Bishoprick.

Bishop impowered to lease Allotments.

And be it further Enacted, by the Authority aforesaid, That as soon as the said Allotments of the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands shall be made as aforesaid, and as soon as the said Commissioners, or any Two of them, shall have ascertained, which they are hereby authorized to do, the Charges and Expences which the said Lord Bishop of *Carlisle*, or the said *Thomas Rockliffe* as his Lessee, shall be at in subdividing the Lands and Grounds to be allotted to them, as herein mentioned, it shall and may be lawful for the said Commissioners, or any Two of them, to separate, divide, and set apart so much and such

Part of the Lands so to be allotted, as they in their Judgment shall deem to be a Compensation, Satisfaction, and an Equivalent for the Charges and Expences which the said Lord Bishop of *Carlisle*, or the said *Thomas Rockliffe* as his Lessee, shall or may lay out, expend, or be put to, on account of the subdividing the Lands and Grounds to be allotted to them as aforesaid, exclusive of the said Lands so set apart as aforesaid: And after the same shall be so separated and set apart, it shall and may be lawful for the said Lord Bishop of *Carlisle*, and the said *Thomas Rockliffe* as his Lessee, with the Consent of the said Commissioners, or any Two of them, to make Sale of the same to any Person or Persons, his or their Heirs, willing to be the Purchaser or Purchasers thereof, and the Money arising by such Sale shall be applied for the Purposes aforesaid; any Law, Usage, or Custom to the contrary thereof notwithstanding: But in case the said *Thomas Rockliffe* shall choose and take upon him to defray the said Charges and Expences, then the said Commissioners, or any Two of them, shall allot and award unto the said *Thomas Rockliffe* such and so much Land as shall be set apart and separated from the Allotments of the said Lord Bishop of *Carlisle* as aforesaid, for the Purpose of defraying the said Charges and Expences, to hold to the said *Thomas Rockliffe*, his Heirs and Assigns for ever, as Freehold in Fee.

Commissioners to have regard to Situation.

**And be it further Enacted**, That the said Commissioners in making such Allotments shall have due Regard to the Situation and Convenience, as well as Quantity and Quality of the Lands belonging to each Person interested, and the Right of Common, and every other Property of every such Person, and also of the Lands so to be assigned and allotted in Lieu thereof, and to allot the Share or Shares of each Party as near to some other of the Lands or the Tenements belonging to such Party respectively as conveniently may be.

Lands to be inclosed.

**And be it further Enacted**, by the Authority aforesaid, That within the Space of Twelve Calendar Months next after the Execution of the Award or Instrument to be made as herein after mentioned, or as soon after as the said Commissioners, or any Two of them, shall in and by the said Award direct and appoint, the several Parcels of Land thereby to be allotted (except the Allotments to be made to the Lord Bishop of *Carlisle* or his Lessee, and to the said *William Anderson* and *Frances Barton*, their Heirs and Assigns, in respect of their being Lord and Lady of the said Manor of *West Abby*, which are to be hedged, ditched, and fenced as herein before directed) shall be inclosed, hedged, ditched,

or

or fenced, and such Inclosures, Hedges, Ditches, and Fences shall be for ever then after supported, repaired, maintained, and kept by such Persons, and in such Manner as the said Commissioners, or any Two of them, shall in their said Award or Instrument direct and appoint.

**And whereas** there are certain old Inclosures within the said Parish belonging to some of the Owners of the said open Fields and commonable Lands which are inconveniently situated, and it may be more convenient to hold them with some of the new Allotments, which upon the said intended Division of the said open Fields and commonable Lands may be set out and allotted to others of the said Parties; **Be it therefore further Enacted**, by the Authority aforesaid, That the said Commissioners or their Successors, or any Two of them, shall and may (by and with the Consent in Writing under the Hands of the respective Owners of such old Inclosures and not otherwise) assign or allot any such old Inclosure or Inclosures to any of the said Parties to whom they shall judge the same to be most convenient, and shall and may assign and allot to such of the said Parties from whom such old Inclosure or Inclosures shall be taken, and in Exchange for the same, any other old Inclosure or Inclosures, or such other Lands and Grounds out of the Allotment or Allotments out of the said open Fields and commonable Lands of the Person or Persons to whom such old Inclosure or Inclosures shall be assigned, as the said Commissioners or their Successors, or any Two of them, shall judge to be at least equal in Value (Quantity and Quality considered) to such old Inclosure or Inclosures to be given in Exchange as aforesaid; which Consent in Writing to assign any such old Inclosure or Inclosures in Exchange as aforesaid shall be inrolled at the same Time and Place as the Award or Instrument herein-mentioned is directed to be inrolled.

For exchanging old Inclosures.

**And be it further Enacted**, That in case any Dispute or Difference shall arise between any of the said Parties interested in the said intended Division and Inclosure, or any of them, touching or concerning the respective Shares, Rights, Interests, and Properties which they, or any of them, have or ought to have in or to the Lands and Grounds intended to be inclosed, it shall and may be lawful to and for the said Commissioners, or any Two of them, and they are hereby authorized and required by Examination of Witnesses upon Oath (which Oath the said Commissioners, or any Two of them, are hereby impowered to administer) and upon other proper Evidence and Enquiry to hear and finally determine the same; which Determination shall be binding and conclusive to all

Commissioners to determine Differences.

all Parties concerned or interested in the said intended Division and Inclosure.

For setting  
out Roads.

**And be it further Enacted,** That the said Commissioners, or any Two of them, shall and may set out and appoint such publick and private Roads and Ways, and also such Ditches, Fences, Drains, Bridges, Footways, Gates, and Stiles as they shall think convenient, in, over, and upon the Inclosures to be made by virtue of this Act; and also to make Drains through or over any of the old Inclosures within the said Parish of *West Ashby*, so as such publick Roads be of the Breadth of Sixty Feet at the least between and exclusive of the Ditches or Fences, and shall and may direct, order, and award in what Manner, and by whom all such private Roads and Ways, Ditches, Fences, Drains, Bridges, Footways, Gates, and Stiles shall be made and repaired, cleansed and maintained; and all such publick Roads and Ways shall from time to time be repaired and kept in Repair in such Manner as the other publick Roads and Ways in the said Parish of *West Ashby* are by Law directed to be repaired; and that after such Roads and Ways shall be set out and made, it shall not be lawful for any Person or Persons in any Manner whatsoever to use any antient or other publick or private Way or Road in or over the said Lands so to be divided and inclosed, or any of them.

Commission-  
ers may allot  
Herbage.

**Provided always,** That after such intended Division and Inclosure shall be made, all the Grass and Herbage growing or renewing on any of the Ways or Roads so to be set out as aforesaid, shall at all Times hereafter be and remain for the Use and Benefit of such Person or Persons as the said Commissioners, or any Two of them, shall by any Writing or Writings under their Hands and Seals in that Behalf order and award.

Relating to  
Bushes and  
Shrubs.

**And be it further Enacted,** That in case any Lands or Grounds upon which any Trees, Underwoods, Thorns, Hedges, Bushes, Furze, or Shrubs shall be standing, growing, or being, shall be assigned or allotted to any of the Parties interested in the said Inclosures, other than the Proprietor or Proprietors thereof, then and in such Case the said Commissioners, or any Two of them, shall and they are hereby required to estimate and value such Trees, Underwoods, Thorns, Hedges, Bushes, Furze, or Shrubs, and the Person or Persons to whom the Lands shall be allotted on which such Trees, Underwoods, Thorns, Hedges, Bushes, Furze, or Shrubs shall be standing or growing, shall pay to the former Proprietor or Proprietors of such Lands what the same Trees, Underwoods, Thorns, Hedges, Bushes, Furze, or Shrubs shall be so valued at.

And

And be it further Enacted, by the Authority aforesaid, That <sup>For setting up</sup> it shall and may be lawful to and for any of the Proprietors of <sup>Gates.</sup> Allotments to be made by virtue of this Act, to set up any Gate or Gates in, upon, and across any Part of the Roads within the Inclosures hereby directed to be made, for the Purpose of keeping out Cattle from their respective Allotments, during the Term of Ten Years from and after the Passing of this Act.

And be it further Enacted, That as soon as conveniently <sup>Award to be</sup> may be after the said Commissioners shall have completed and <sup>made.</sup> finished the Divisions and Allotments of the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands hereby directed and intended to be divided and inclosed as aforesaid, pursuant to the Purport and Directions of this Act, they, or any Two of them, shall form and draw up, or cause to be formed and drawn up an Award or Instrument in Writing, which shall contain and express the Quantity in Statute Measure of Acres, Roods, and Perches contained in the said Fields, Pastures, Ings, Commons, and commonable Lands so intended to be divided and inclosed as aforesaid, and the Quantity of each and every Part and Parcel thereof which shall be assigned and allotted to the said Lord Bishop of *Carlisle* or his Lessees, and also to the respective Parties intitled to and interested in the same, and a Description of the Situation, Buttals, and Boundaries of the same Parcels and Allotments respectively, and proper Orders and Directions for mounding and fencing the same, and of the Piece or Pieces of Ground appointed for the digging and getting of Stone, Gravel, and other Materials as herein-after mentioned, and by whom the same Parcels and Allotments respectively shall be fenced and repaired; and also for making and laying out proper Roads, Ways, and Passages, and concerning the Bridges, Footways, Gates, and Stiles in, upon, and through such Allotments, with proper Directions for keeping open the Watercourses, and shall also express and contain such other Orders, Regulations, Directions, and Determinations as shall be proper and necessary to be inserted therein, conformable to the Tenor and Purport of this Act; which said Award or Instru- <sup>Award to be</sup> ment shall be fairly ingrossed and written on Parchment, and signed <sup>inrolled.</sup> and sealed by the said Commissioners, or any Two of them, and shall, within Six Calendar Months next after the same shall be so signed and sealed as aforesaid, or as soon after as conveniently may, be inrolled by the Clerk of the Peace for the Division of *Lindsey*, in the said County of *Lincoln*, to the end Recourse may be had to the same by any Person or Persons interested in the said intended Inclosure, for the Inspection and Perusal whereof the Sum of One  
D Shilling

And

Shilling shall be paid, and no more; and a true Copy thereof signed by the Clerk of the Peace for the said Division of *Lindsey* for the Time being, or his Deputy, purporting the same to be a true Copy, for which no more shall be paid than Two Pence for each Sheet, to contain One hundred Words, as also the said original Award or Instrument, and each of them, shall from time to time and at all Times be admitted and allowed in all Courts whatsoever as legal Evidence, and which Copy the Clerk of the Peace for the said Division of *Lindsey* for the Time being, or his Deputy, is required to make and deliver to any Person or Persons requesting the same, he, she, or they paying for the same after the Rate aforesaid; and the several Allotments, Divisions, Orders, Directions, and Regulations so to be made by the said Commissioners, or any Two of them, in and by such Award or Instrument so to be executed and inrolled as aforesaid, shall be and are hereby declared to be binding and conclusive unto and upon all and every of the several and respective Parties interested in the several and respective Grounds, Lands, and Premises so intended to be inclosed as aforesaid; and the said original Award or Instrument, after the same shall be executed and inrolled as aforesaid, shall be lodged in the common Chest in the Church of *West Asby* aforesaid, for the Benefit of the Parties interested in the said intended Inclosure.

Guardians,  
&c. to accept  
Allotments.

**And be it further Enacted,** That the Guardians, Husbands, Trustees, Committees, or Attornies of, or Persons acting as Guardians, Trustees, Committees, or Attornies for any of the said Owners or Proprietors, being a Minor or Minors, under Coverture, Lunaticks, Ideots, or beyond the Seas, or otherwise incapable by Law to accept the Allotments to be made as aforesaid, shall be and are hereby enabled to accept thereof for the Use of the Person or Persons so incapacitated; and also that any of the Parties intituled to any Allotment or Allotments as Tenant or Tenants for Life or Lives, or as Trustee or Trustees of or for any Charity or Charities, shall be and are hereby respectively enabled to take and accept of any Allotment or Allotments so to be made as aforesaid, and every such Acceptance respectively shall be valid and effectual; any Thing herein contained to the contrary notwithstanding.

Non-acceptance of  
Guardians,  
&c. not to  
prejudice.

**Provided nevertheless,** That the Non-claim or Non-acceptance of any Guardian, Husband, Trustee, Committee, or Attorney, or of any Person acting as Guardian, Trustee, Committee, or Attorney, shall not exclude or prejudice the Claim or Acceptance of any Person, being an Infant, Feme-covert, Lunatick, Ideot, or beyond the Seas, or under any Disability or Incapacity as aforesaid,  
wh<sup>o</sup>

who shall claim or accept his or her Allotment or Allotments within One Year next after such Disability or Incapacity is removed, or of any Person intitled as Heir or in Remainder after the Death of any Person dying under such Disability or Incapacity, who shall claim and accept within One Year next after his, her, or their Right, Title, or Interest shall have descended, accrued to, or vested in him, her, or them; any Thing herein contained to the contrary notwithstanding.

**And be it further Enacted**, by the Authority aforesaid, That until the signing and executing the said Award, all the Tillage Lands in the said Fields, Lands, and Grounds intended to be inclosed, shall be kept and continued in the same Course of Husbandry as is now used thereupon, and that no Meadow, Pasture, or fresh Ground shall be before that Time ploughed or used in Tillage.

Same Course of Husbandry to be used till the Award is executed.

**Provided also**, That such convenient Openings shall be left in the said Fences and Inclosures as the said Commissioners, or any Two of them, shall direct, for the Space of Six Calendar Months next after the Execution of the said Award, for the Passage of Cattle, Carts, and Carriages through the same, unless the Majority of the Parties interested shall agree that the same shall be sooner made up.

For leaving Gaps.

**Provided also, and it is hereby Enacted**, That nothing in this Act contained shall extend, or be construed to extend to revoke, make void, alter, annul, or any Way affect any Settlement, Deed, or Will whatsoever, or to prejudice any Person or Persons, Bodies Corporate or Politick, having any Right or Claim of Dower, Jointure, Portion, Debt, Rent, Incumbrance, or other Claim or Demand out of, upon, or affecting any of the Lands or Grounds so intended to be inclosed as aforesaid, or any Part thereof, or any Lands or Tenements which shall be exchanged in pursuance of this Act, or any Part thereof, or any Tithes for which any Allotment or Allotments shall be made by virtue of this Act; but that the Lands and Grounds so to be allotted and awarded, and the Lands and Tenements so to be exchanged as aforesaid, shall, immediately after the making such Allotment and Exchange, respectively be, remain, and enure, and be held and enjoyed, and the several Persons to whom the same shall be assigned and allotted, and given in Exchange as aforesaid, shall from thenceforth stand seised and possessed thereof respectively, subject and liable to the same Uses, and to and for such and the same

Not to prejudice Settlements.

same Estates and Interests, and subject to such and the same Wills, Powers, Provisoes, Limitations, Remainders, Trusts, Charges, Tenures, Rents, Services, Incumbrances, and Demands, as the several Lands, Tithes, Hereditaments, and Premises for and in respect whereof such Allotments shall be made, or which shall be so given in Exchange, now are, or should or would have been subject and liable to be charged with or affected by, in case this Act had not been made; any Thing herein contained to the contrary notwithstanding.

For borrow-  
ing Money.

**And whereas** several of the Owners and Proprietors of and Persons interested in the said Lands and Grounds so intended to be divided and inclosed, may have Occasion to borrow Money to pay and defray their respective Shares and Proportions of the Charges and Expences incident to and attending the Obtaining and Execution of this Act, and of inclosing their respective Allotments, and cannot, by reason of some Settlement or Settlements, or other Incapacities or Impediments respectively, make effectual Securities for the Money that may be lent for those Purposes; **Be it therefore Enacted**, by the Authority aforesaid, That it shall and may be lawful to and for the several Owners and Proprietors of the Lands and Grounds intended to be inclosed, being Tenants for Life or in Tail, and also to and for the Husbands, Guardians, Trustees, Committees, or Attornies of, or any Person or Persons acting as Guardians, Trustees, Committees, or Attornies for any Charity or Charities, or for such of the said Owners or Proprietors as shall be under Coverture, Minors, Lunaticks, Idots, or beyond the Seas, or otherwise incapable of acting for themselves, and to and for every of them respectively for the Time being, by Writing under their Hands and Seals, from time to time to charge the Lands and Grounds which shall be assigned and allotted to him, her, or them respectively by this Act, with any Sum or Sums of Money, not exceeding Forty Shillings an Acre, for the Purposes before-mentioned, as the said Commissioners, or any Two of them, shall direct and appoint; and for securing the Repayment of such Sum and Sums of Money, with Interest, to grant, mortgage, lease, and demise, or otherwise subject the Lands and Grounds so to be assigned and allotted unto such Person or Persons as shall advance and lend such Money respectively, for any Term or Number of Years, so as every such Grant, Mortgage, or Demise be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered when such Sum or Sums of Money thereby to be secured, with the Interest thereof, shall be fully satisfied and paid, and so as every such

such Grant, Mortgage, and Demise to be made by any Tenant for Life or in Tail contains a Proviso, that the Person intitled to the Remainder or Reversion of the Lands so to be mortgaged shall not be liable, upon his or her becoming possessed thereof, to the Payment of any further or larger Arrear of Interest than for One Year preceding the Time that the Title to such Possession shall have commenced; and that every Grant, Mortgage, Lease, or Demise so to be made in pursuance of this Act shall be good, valid, and effectual in the Law for the Purposes thereby intended, notwithstanding the Want of legal Title in the said Husbands, Guardians, Trustees, Committees, or Attornies, or in the said Tenants in Tail or for Life; any Settlement, Will, Trust, Use, Remainder, Limitation, or other Incumbrance to the contrary notwithstanding.

**And be it further Enacted**, by the Authority aforesaid, That all and every Person and Persons to whom any Grant, Mortgage, Lease, or Demise shall be made by virtue of this Act, or who shall be intitled to the Money thereby secured, may from time to time, by any Deed or Deeds, Writing or Writings, under his, her, or their Hand and Seal or Hands and Seals, to be executed in the Presence of Two or more credible Witnesses, assign or transfer the same Security or Securities, or the principal Money and Interest thereby secured, and all Benefit and Advantage thereof, and all his, her, and their Right, Title, and Interest in and to the same, unto any Person or Persons whomsoever, who may again in like Manner assign the same, and so *toties quoties*; and such Mortgagee or Mortgagees, Assignee or Assignees, his, her, or their Executors and Administrators, and all Persons claiming under them or any of them, shall and may use, take, and pursue all such lawful Methods, Courses, and Expedients at Law or in Equity, for recovering and obtaining the Possession of the Premises to be mortgaged, demised, and assigned as aforesaid, in case of Non-payment of the principal Money and Interest to be thereby secured, or any Part thereof, as is or are used, taken, or pursued in Cases of the like Nature.

Mortgages transferable.

**And be it further Enacted**, by the Authority aforesaid, That the said Commissioners, or any Two of them, shall and they are hereby required to give or cause to be given publick Notice in the Parish Church of *West Ashby* aforesaid, upon some *Sunday* immediately after Divine Service, and by Writing to be affixed on the Door of the said Church, of the Time and Place of their First and every subsequent Meeting for the Execution of this Act,

Time and Place of Commissioners Meeting.

at least Eight Days before any such Meeting shall be held, Meetings by Adjournment only excepted.

Gravel Pits.

**And be it further Enacted,** by the Authority aforesaid, That the said Commissioners, or any Two of them, shall and may, before the making such Division and Allotments as aforesaid, set out, allot, and appoint such Piece or Pieces of Land, not exceeding Three Acres upon the said Fields, Cow Pastures, and other Commons and commonable Lands, or any of them, in such Part or Parts thereof as they the said Commissioners, or any Two of them, shall think most proper for digging for and getting of Stone, Gravel, and other Materials for the repairing of the Roads and Ways to be set out by virtue of this Act, and for the Use of the Inhabitants of the said Parish of *West Abby*; and the said Lands so to be set out shall from thenceforth be and the same are hereby vested in the Overseer or Overseers of and for the Highways and Roads in the said Parish of *West Abby* for the Time being for ever, for the Purpose of digging for and getting of Stone, Gravel, and other Materials for the repairing of such Roads and Ways; and such Overseer and Overseers shall and may annually let the Herbage thereof for the best Price or Prices that can be got for the same, and shall account for the Rent arising therefrom in his or their annual Accounts.

Persons omitting to fence.

**And be it further Enacted,** That in case any Person or Persons (except the said Lord Bishop of *Carlisle* and his Lessees, and the said *William Anderson* and *Frances Barton*, in respect of their being Lord and Lady of the said Manor of *West Abby* as aforesaid) shall refuse or neglect to inclose, hedge, ditch, and fence the several Parcels of Lands and Grounds to be allotted and assigned to him, her, or them respectively as aforesaid, within such Time and in such Manner as the said Commissioners, or any Two of them, shall in such their Award order, direct, and appoint as aforesaid, it shall and may be lawful to and for the said Commissioners, or any Two of them, and they are hereby authorized and required to inclose, hedge, ditch, and fence the Lands and Grounds allotted or assigned to such Person or Persons neglecting or refusing as aforesaid, and to raise and pay the Charges and Expences of making, repairing, and maintaining the Hedges, Ditches, or Fences of such Person or Persons, in Manner herein-after directed.

For defraying the Expences of this Act.

**And be it further Enacted,** That the Charges and Expences incident to and attending the obtaining and passing this Act, and of the surveying, measuring, dividing, and allotting the Lands

Lands and Grounds intended to be divided and inclosed as aforesaid, and of the preparing and inrolling the said Award, and other necessary Expences of the said Commissioners, and of the several Persons to be employed by them, or any Two of them, either before or after their executing the said Award, in and about the Premises, shall be borne, paid, and defrayed by the Owners and Proprietors of and Persons interested in the said Lands and Grounds so intended to be divided and inclosed (except the Lord Bishop of *Carlisle* and his Lessees as aforesaid, and except the said *William Anderson* and *Frances Barton*, in respect of their being Lord and Lady of the said Manor of *West Ashby*) in Proportion to their respective Shares, Properties, and Interests therein, at such Time and Times, and in such Proportion and Proportions as the said Commissioners, or any Two of them, shall either before or after the Execution of their said Award, by a Notice or Notices in Writing under the Hands of the said Commissioners, or any Two of them, to be affixed on the great Door of the Parish Church of *West Ashby* aforesaid, order and direct, which Notice is hereby directed to be affixed, at least Twenty Days before the Time of such Payment; and in case any of the Persons aforesaid shall refuse or neglect to pay his, her, or their Share or Shares, Proportion or Proportions of such Charges or Expences, or in case any Person or Persons who shall refuse or neglect as aforesaid to inclose, hedge, ditch, and fence his, her, or their Allotment or Allotments, shall refuse or neglect to pay the Charges and Expences of the said Commissioners in and about the inclosing, hedging, ditching, and fencing of such Allotment or Allotments within the Time or Times to be limited by the said Commissioners, or any Two of them, to such Person or Persons as they, or any Two of them, shall appoint to receive the same, then and in either of the Cases aforesaid it shall and may be lawful to and for the said Commissioners, or any Two of them, by Warrant or Warrants under their Hands and Seals directed to any Person or Persons, to levy the same by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting to pay the same, rendering the Overplus (if any) on Demand to the Owner or Owners of such Goods, Cattle, and Chattels, the reasonable Charges of such Demand, Warrant, Distress and Sale being first deducted, or otherwise it shall and may be lawful for the said Commissioners, or any Two of them, or any Person or Persons to be authorized by them, to enter upon and take Possession of the Premises so to be allotted to such Person or Persons refusing or neglecting to pay as aforesaid, and to receive and take the Rents and Profits thereof, until thereby, therewith, or otherwise the Shares or Proportions of the said Costs and Charges so ordered and

and directed by the said Commissioners, or any Two of them, to be paid by such Person or Persons as aforesaid, and also all Costs, Charges, and Expences occasioned by or attending such Entry upon and Perception of the Rents and Profits of the said Premises, shall respectively be fully paid and satisfied.

Springs of  
Water may  
be turned.

**And be it further Enacted,** That the said Commissioners, or any Two of them, shall and they are hereby empowered to direct, order, and award all or any of the Streams of Water, Springs, and Watercourses in the said Lands and Grounds to be carried and conveyed in such Courses, and through such Lands and Grounds, Parcel of the Lands hereby intended to be inclosed, as they in their Discretion shall think proper; provided that such Streams of Water, Springs, and Watercourses be carried and conveyed so as not materially to prejudice any Person or Persons intituled to the same.

Time limited  
for accepting  
Allotments.

**And be it further Enacted,** That all and every Person and Persons to whom any Allotment or Allotments shall be made by virtue of this Act, shall and they are hereby required to accept his, her, and their respective Shares and Allotments within the Space of One Year next after the Execution of the said Award, and Notice being given on some *Sunday* immediately after Divine Service in the Parish Church of *West Afbby* aforesaid, and also in Writing affixed on the great Door of the said Parish Church for that Purpose, signed by the said Commissioners, or any Two of them; and in case any Person or Persons shall neglect or refuse to accept his, her, or their Allotment or Allotments within the Time before-mentioned, such Person or Persons so neglecting or refusing shall be totally excluded from having or receiving any Estate, Interest, or Right of Common, or other Property whatsoever in or to any of the Lands or Grounds to be assigned or allotted to any other Person or Persons in pursuance of this Act.

Allotments to  
be in Lieu of  
former  
Rights.

**And be it further Enacted,** That the several Lands and Grounds to be divided, set out, and appointed unto and for the several Persons who by virtue of this Act shall be intituled to the same, shall be in full Bar of and in Satisfaction and Compensation for his, her, and their several Parcels of Lands and Grounds which before the Passing of this Act were lying in the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands so intended to be divided and inclosed, and also in full Bar of and in Satisfaction and Compensation for all Right of Common,

Common, and other Rights and Properties whatsoever, in, over, and upon the same; and from and immediately after making such Divisions and Allotments, and Execution of the said Award of such Tenor and Purport as aforementioned, all Right of Common belonging to or claimed by all and every the Owners, Proprietors, or Occupiers of Messuages, Lands, Grounds, or other Hereditaments in the Parish of *West Ashby* aforesaid, in, over, and upon all or any of the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands, shall cease, determine, and be for ever extinguished.

And be it further Enacted, That all and every Lease and Leases at Rack-rent now subsisting of all or any Part or Parts of the said Lands and Grounds hereby intended to be divided and inclosed, and all other Agreements for any Term or Terms therein, shall cease, determine, and be void immediately on such Allotments and Divisions being made, the respective Lessees or Tenants thereof receiving from the respective Owners and Proprietors of the said Premises who have made any such Leases and Agreements, such Satisfaction as the said Commissioners, or any Two of them, shall ascertain as reasonable to be paid to such Tenant or Tenants as an Equivalent for the same.

Leases at Rack-rent to be void.

And be it further Enacted, That when and as often as any One or more of the said Commissioners appointed by this Act, or to be elected in Manner herein-after mentioned, shall die or refuse to act, it shall and may be lawful to and for the Proprietors of all and every the Lands and Grounds hereby intended to be divided and inclosed, or the major Part of them in Value, from time to time, within Three Calendar Months next after the Death or Refusal of such Commissioner or Commissioners to act, by Writing under their Hands and Seals to appoint One or more Commissioner or Commissioners, not interested in the said intended Division and Inclosure, instead of every Commissioner so dying or refusing to act as aforesaid; and every such Commissioner so to be appointed as aforesaid shall have the like Power and Authority by virtue of this Act, as the Commissioner in whose Place he shall succeed was vested with; and that Notice shall be given in the Parish Church of *West Ashby* aforesaid, on some *Sunday* immediately after Divine Service, of the Time and Place of choosing such Commissioner or Commissioners, at least Seven Days before such Meeting.

For the Election of new Commissioners.

Provided nevertheless, That in case the said *Benjamin Stephenson* shall die or refuse to act, it shall and may be lawful to and for the

the Lord Bishop of *Carlisle* for the Time being, within the like Time of Three Calendar Months after such Death or Refusal shall happen to be known, by Writing under his Hand and Seal to appoint another Commissioner, not interested in the said intended Division and Inclosure, instead of the said *Benjamin Stephenson*, and such new Commissioner shall have the like Power and Authority by virtue of this Act, as the said *Benjamin Stephenson* is vested with; and so as often as any Commissioner appointed by the said Bishop of *Carlisle* shall happen to die or refuse to act, it shall be lawful for the Bishop to appoint another in his Place.

For allowing  
an Appeal to  
Quarter Ses-  
sions,

And be it further Enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Thing done in pursuance of this Act (other than and except such Orders and Determinations of the said Commissioners as are herein before directed to be final and conclusive) then and in every such Case he, she, or they may appeal to the next General Quarter Session of the Peace which shall be held for the Division of *Lindsey*, in the said County of *Lincoln*, within Six Calendar Months next after the Cause of Complaint shall have arisen; and the Justices in their said Quarter Session are hereby required to hear and determine the Matter of every such Appeal, and to make such Order and award such Costs and Damages as to them in their Discretion shall seem reasonable, and levy by their Order or Warrant the Costs and Damages which shall be so awarded by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale; which Determination of the said Justices shall be final and conclusive to all Parties concerned, and shall not be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*, or elsewhere.

Saving of  
Rights to the  
Lords and  
Lady of the  
Manors.

And be it further Enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Right, Title, or Interest of the Bishop of *Carlisle*, Lord of the Manor of *Horncastle* aforesaid, or of the said *William Anderson* and *Frances Barton*, Lord and Lady of the Manor of *West Ashby* aforesaid, of, in, and to the Seigniories, Royalties, Rights, and Services incident and belonging to the said Manors respectively; but that the Lord of the Manor of *Horncastle* aforesaid for the Time being, and the said *William Anderson* and *Frances Barton*, Lord and Lady of the Manor of *West Ashby* aforesaid,

aforesaid, and all Persons claiming or to claim by, from, or under him, her, or them, any or either of them, shall and may from time to time and at all Times for ever hereafter hold and enjoy all Rents, Services, Rights, Royalties, Courts, Perquisites and Profits of Courts, and all other Privileges and Jurisdictions to the said respective Manors, or to the Lords or Lady thereof for the Time being incident, appendant, belonging, or appertaining (other than and except such Right of Common as can or may be claimed by the respective Lords and Lady of the said Manors, any or either of them, in, over, and upon the Lands and Grounds so directed and appointed to be divided and inclosed as aforesaid, and other than and except the said Quit-rents, and such other Rights as are meant and intended to be destroyed by this Act) in as full, ample, and beneficial Manner to all Intents and Purposes, as they, any or either of them, might have held and enjoyed the same before the Passing of this Act, or in case the same had not been made.

**Saving always** to the KING's most Excellent MAJESTY, <sup>General Sav-</sup> his Heirs and Successors, and to all and every other Person and Per- <sup>ing,</sup> sons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (other than and except those meant and intended to be barred by this Act) all such Estate, Right, Title, and Interest as they, every or any of them, had or enjoyed of, in, to, or in respect of the said open and common Fields, Cow Pastures, Ings, common Meadows, and other commonable Lands before the Passing of this Act, or could or might have had and enjoyed in case the same had not been made; but no such other Person or Persons, Bodies Politick or Corporate, his, her, or their Heirs, Executors, Administrators, or Successors, shall have Power to disturb any of the Allotments to be made in pursuance of this Act, but shall accept the Allotments which shall be made in Lieu of the Lands, Common Rights, Tithes, or other Interests which he, she, or they would have been intitled to in case this Act had not been made.

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Dividing and Inclosing the Open  
and Common Fields, Cow Pat-  
tures, Ings, Common Meadows,  
and other Commonable Lands  
in the Parish of *West Abby*,  
within the Manors of *Horncliffe*  
and *West Abby*, in the County  
of *Lincoln*.

[ 1771. ]